

## PURPOSE

The ability to set aside an adjudication provides youth with equal opportunities afforded to those without a criminal record. Adjudication can have significant long-term consequences for a youth. Consequences include, but are not limited to, being a barrier to employment, secondary education, military service, public housing and student loans.

## DEFINITIONS

See [JJG Glossary](#).

## ELIGIBILITY TO APPLY TO SET ASIDE ADJUDICATION(S)

The caseworker must assist the youth with completing the process to set aside an adjudication (also referred to as expungement) if the youth meets the eligibility to apply and wishes to do so.

A youth is eligible to apply to set aside an adjudication per MCL 712A.18e, if a year has passed since disposition or the term of detention for that adjudication, or the youth is 18 years of age (whichever occurs later). The youth must not have:

- Adjudication of more than one offense that would be a felony if committed by an adult.
- Adjudication of more than three offenses, of which only one may be an offense that would be a felony if committed by an adult.
- Any felony convictions.

**Note:** Multiple adjudications due to delinquent acts occurring within 12 continuous hours or less count as one offense as long as none of the adjudications are:

- An assaultive crime as defined in 1927 PA 175, MCL 770.9a.
- An offense involving the use or possession of a weapon.

- An offense with a maximum penalty of 10 or more years imprisonment.

A youth cannot apply for the following to be set aside:

- Adjudication for an offense, if committed by an adult, that would be a felony punishable by life imprisonment.
- Adjudication for a traffic offense as defined by 1949 PA 300, MCL 257.1-257.923, or corresponding local ordinance, that involves operation of a vehicle and is a felony or misdemeanor.
- Conviction as a juvenile tried as an adult under MCL 712A.2d.

For additional information see [Michigan Legal Help](#) website.

## LEGAL

### State

**Probate Code of 1939, 1939 PA 288, as amended, MCL 712A.18e et seq.**

Provides requirements for setting aside an adjudication for youth.

## POLICY CONTACT

Juvenile justice supervisors and management may submit policy clarification questions to [juvenile-justice-policy@michigan.gov](mailto:juvenile-justice-policy@michigan.gov).